IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 54183-M of 2006

DATE OF DECISION : 15.09.2006

Vinod Kumar Saini

.... PETITIONER

Versus

Suresh Mittal and another

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. G.S. Sandhu, Advocate, for the petitioner.

Petitioner Vinod Kumar Saini, apprehending his arrest in a non-bailable offence in complaint case titled as Suresh Mittal versus Vinod Saini pending in the Court of CJM, Karnal, under Sections 406, 420, 467, 468, 471 and 506 IPC, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the petitioner and gone through the contents of the complaint.

The petitioner is a property dealer. He entered into an agreement to sell with the complainant regarding plot no. 1742, Sector 9, Urban Estate, Karnal, on the basis of general power of attorney from the real owner and received Rs. 5.40 lacs as earnest money. Subsequently, it came to the notice of the complainant that the petitioner had already entered into an agreement with some other person with regard to the same plot, regarding which suit for specific performance has been filed by that person against the petitioner. In this case, the allegation against the petitioner is that he did not disclose the factum of previous agreement in the second agreement. In view of the nature of allegation and alleged offence committed by the petitioner, I am not inclined to grant discretionary relief of anticipatory bail to the petitioner.

Dismissed.

September 15, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**